HON'BLE SRI JUSTICE D.S.R.VARMA
AND
HON'BLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION No. 14570 OF 2006

Between:

Sri Kaveri Gopala Krishna Reddy, R/o Gangavaram, Kovvur Mandal, Nellore District.

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Petitioner

AND

1.The Station House Officer, Kovvur Police Station, Kovvur, Nellore District and others.

....Respondents

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AND
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WRIT PETITION No.14570 OF 2006

ORAL ORDER: **(per the Hon'ble Sri Justice D.S.R.VARMA)**

This Writ Petition is taken up on the basis of a complaint, dated 19.06.2006, sent by one Mr. Kaveri Gopala Krishna Reddy, alleging that Vemireddy Ravindra Reddy, Yedam Thirupathi Reddy, Kaveri Veerabhaskara Reddy, Nellore Udaya Bhaskara Reddy and seven others of Kovvur Mandal were trespassed into his house and made an attempt to murder his son by name Vijaya Prabhakara Reddy. His further allegation is that, subsequently, the Police started coming to the house of the complainant every day night between 10.00 PM and 4.00 AM and he apprehends that his son would be killed after receiving blows at the hands of the police.

2. The main apprehension of the petitioner is -- whether his son is alive or not, and requests this Court to take immediate suitable steps to save the life his son, if he is alive and to stop harassing the petitioner and his family members.

3. On notice being given, the Sub-Inspector of Police, Kovur Police Station, Nellore District, filed a counter-affidavit stating that one Mr. Vemireddy Raveendra Reddy, aged 45 years, Gangavaram Village of Kovur Mandal, has lodged a compliant with the police on 15.o6.2006 alleging that the son of the petitioner by name Kaveri Vijaya Prabhakar Reddy and Mr. Vasili Konda Swamy trespassed into his house on the night of 14.06.2006 at 23.30 hours and

assaulted him with a knife on his head and caused bleeding injury and hence requested to take necessary action. Basing on the said complaint, a case in Crime No.106 of 2006 for the offences punishable under Section 452 and 324 of the Indian Penal Code was registered on 15.06.2006 and the same is under investigation. It is further stated that pursuant to the registration of the said crime, he examined four witnesses and recorded their detailed statements and no arrests were made so far. During the course of investigation, the police enquired the petitioner also with regard to his son, as he was involved in the above crime. Instead of co-operating with the Investigating Officer, the present complaint has been filed by the petitioner. It is further stated that the son of the petitioner by name Mr. Kaveri Vijaya Prabhakar Reddy obtained anticipatory bail vide Criminal Petition No.3287, dated 18.07.2006, from this Court, and the son of the petitioner was produced before the police station on 21.07.2006 and obtained bail on executing a bond. This itself reveals the fact that the son of the petitioner is alive. It is denied that the police are going regularly to the house of the petitioner and enquiring about the whereabouts of his son and harassing them.

4. From the above, the fact that a crime was registered and the son of the petitioner obtained anticipatory bail from this Court and appeared before the concerned Police Station is an indicative factor that the compliant made by the petitioner is not fully correct. However, insofar as the apprehension of the petitioner that the police have been harassing him and his wife is concerned, it is needless to say that the police shall not cause any inconvenience to the petitioner and his wife, particularly when they are aware that the son of the petitioner is evidently alive. If any further harassment is caused, the petitioner is at liberty to proceed against the concerned police official or officials, in accordance with law.

5. Since the very fact that the son of the petitioner had obtained anticipatory bail from this Court and the complaint given by him is partially incorrect, having regard to the age of the petitioner and the nature of the allegations made, we do not propose to proceed any further in the matter.

6. Accordingly, the Writ Petition is closed subject to the above observations.

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D.S.R.VARMA, J

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P. SWAROOP REDDY, J

Dated: 31.07.2006
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